
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

MICHAEL D. TROUT,

Petitioner,

versus

JODY UPTON,

Respondent.

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CIVIL ACTION NO. 1:07-CV-582

**MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

Petitioner Michael D. Trout, a prisoner confined at the Federal Correctional Institution in Beaumont, Texas, proceeding *pro se*, brought this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

The court ordered that this matter be referred to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends granting petitioner credit toward his federal sentence from March 27, 2002, through September 6, 2002.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

O R D E R

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 13th day of October, 2009.



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE